



Michigan Court System

Garnishments and Seizures

Garnishments

There are three types of primary garnishment documents:

1. Request and Writ for Garnishment (Periodic Payments)
Expires 182 days after issuance
2. Request and Writ for Garnishment (Non-Periodic Payments)
Expires 91 days after issuance
3. Request and Writ for Garnishment (Income Tax Refund/Credit)
Expiration date is based on the State of Michigan Treasury Tax year which is Nov. 1 to Oct. 31.

If garnishee service date \leq 10/31, then expiration is 10/31 of current year.

If garnishee service date \geq 11/1, then expiration is 10/31 of the following year.

Issuing a Garnishment

- File date and issue date cannot be greater than current date.
- Add the Garnishee name or select one that already exists on the case by checking a box in the grid view.
- Upon Save, the system will automatically display the Add Receivable screen.
- The expiration date will automatically be calculated by the system and displayed on the View Garnishment Details screen for the selected garnishment.
- The garnishment indicator will display in the Case Indicators group box on the Case Details screen. When **all** garnishments are closed, the indicator will turn off.

MiCS version 1.0.50.27869 - [Case Details - GC - GENERAL CIVIL]

File Case Person Search Bond Financials Reports Forms Other Window Help

Refresh

12-005004-GC
 Professionals(1)
 Participants(4)
 Documents(10)
 Milestones(4)

12-005004-GC ABC BANK INC V PETERSON D/BCV/S
 Judicial Officer: DEWANE, J
 Status: ADJUDICATED Case Filed: 2/6/2012 Adjudicated: 5/2/2012 DEFAULT JUDGMENT

Jurisdiction: DISTRICT Court: BERRIEN CIVIL Location: ST. JOSEPH Change JCL
 Case ID: 12-005004-GC Date Filed: 02/06/2012 Date Closed:
 Judicial Officer: DEWANE, JOHN

Case Indicators

Garnishment

Case Type Specific Attributes

Last Action Date: Last Action:
 Claim Amount: \$5,000.00 Jury Demand Filed: Venue:
 Non Public Status: Case Load Limit: Prison Case:
 Record Retention Date: Date Destroyed:

Save Cancel

12-005004-GC Forms
 Add Action Add Participant Log Case Relate/Unrelate Cases View Dispositions Summary
 Add ADR Case Add Receivable Delete Case Reschedule All Future Hearings View Financial Summary
 Add Comment Add Reminder Manage Bond Reschedule Hearing View Garnishment Details
 Add Cross Reference Add Resource Request Modify Case Entitlement Schedule Hearing View Notes Summary
 Add Document Assign Milestone Modify Financial Record Link Take Payment View Seizure Details
 Add Electronic Attachment Assign/Reassign Professional Modify Milestone View Case Activity Summary
 Add Note Change Case Number/Type Pay Expense View Case RDA/Information

Database: MiCS_Prod_1 User: Lorna Skipworth

- If no judgment exists in MiCS and the user attempts to enter a garnishment, there will be no participants available to select and the system will present a validation message indicating that participants are required.
- If a judgment does exist in MiCS, but is not older than 21 days and the user attempts to enter a garnishment, then the system will present a validation message stating 'Issue date must be 21 days or more than disposition date'.
- If an *Order for Administrative Closing due to Bankruptcy Stay* is in place, MiCS will display a validation message indicating 'Bankruptcy in effect for...'.
- A periodic garnishment cannot be filed for the same garnishee if there is already one in place that has not expired. MiCS will present a validation message indicating 'Request and Writ for Garnishment (Periodic Payments) already exists for...'.

Subsequent Garnishment Documents

When subsequent garnishment documents are filed, the system will display the Link to Primary Action or Document screen. The user can select which primary garnishment document to link to the subsequent filing. Subsequent Garnishment documents are:


- *Return of Service – Garnishment*
- *Garnishee Disclosure*
- *Garnishment Release*
- *Final Statement on Garnishment of Periodic Payments*
- *Objections to Garnishment*
- *Order on Objections to Garnishment*

Select One	Date Filed	GarnishmentNumber	GarnishmentType	GarnisheeName	Link To Secondary
<input checked="" type="checkbox"/>	6/19/2012	1	PERIODIC	WALMART	Y
<input type="checkbox"/>	6/21/2012	2	INCOME TAX	STATE OF MICHIGAN TREASURY	N
<input type="checkbox"/>	7/19/2012	3	NON-PERIODIC	CHASE BANK	N


View Garnishment Details screen

A screen that displays a summary of each garnishment's activity.

- From a Case Details screen, select the Action Link at the bottom of the screen 'View Garnishment Details'. On the View Garnishment details screen, select the garnishment you wish to view in the Garnishments group box. If the user selects a garnishment in the tree and then navigates to the View Garnishment Details screen via the View Garnishment Details action link, that garnishment will be pre-selected.
- The Garnishment Details group box will display dates that documents were filed, closure dates and reasons, expiration date, etc.
- The closed date and closed reason will fill in automatically when a Non-indebted Disclosure is filed, when a Garnishment Release is filed, when a Final Statement is filed, when an Order for Administrative Closing Due to Bankruptcy is filed, when a Certificate of Satisfied Judgment is filed or when the garnishment expires.


MiCS version 1.0.50.27869 - [Garnishment Details]

File Case Person Search Bond Financials Reports Forms Other Window Help

 Refresh

Jurisdiction
Court
Location

Case ID

Garnishments

Select One	Date Filed	Garnishment #	Garnishment Type	Garnishee Name	Garnishment Status
<input checked="" type="checkbox"/>	6/19/2012	1	PERIODIC	WALMART	Closed
<input type="checkbox"/>	6/21/2012	2	INCOME TAX	STATE OF MICHIG...	Open

Garnishment Details

Participants

Role	Role Number	Name	Attorney Name
DEFENDANT	2	PETERSON, SUZIE	

Judgment Amount	<input type="text"/>	Amount Unsatisfied	<input type="text"/>	Amount Withheld	<input type="text"/>
Issue Date	<input type="text" value="07/30/2012"/>	Garnishee Served Date	<input type="text" value="06/21/2012"/>	Defendant Served Date	<input type="text" value="06/25/2012"/>
Disclosure Date	<input type="text" value="06/27/2012"/>	Final Statement Date	<input type="text"/>	Exp Date	<input type="text" value="10/29/2012"/>
Objection Date	<input type="text"/>	Objection Outcome	<input type="text"/>	<input type="checkbox"/> Higher Priority in Effect	
Receipt Number	<input type="text"/>	Receipt Date	<input type="text"/>		
Closed Date	<input type="text" value="06/27/2012"/>	Closed Reason	<input type="text" value="NOT EMPLOYED"/>		

Seizures

The primary document is a Request and Order to Seize Property. The expiration date (91 days from issuance) will be calculated by the system and displayed on the View Seizure Details screen.

A Seizure cannot be filed if:

- It has not been at least 21 days since a judgment was issued.
- If a Certificate of Satisfied Judgment has been filed.
- If an Order for Administrative Closing Due to Bankruptcy is in effect.

The Seizure Indicator will display on the Case Details screen in the Case Indicators group box.

Subsequent Seizure Documents

When a subsequent seizure document is filed, the Link to Primary Action/Document screen will display. The user can select which primary seizure document to link to the secondary document.

Secondary documents that will be linked to the primary document are:

- Report of Collection Activity Under Order to Seize Property
Document results are required: 'Satisfied in Part' or 'Satisfied in Full'. Neither of these results will turn off the seizure indicator. The user must fill in the Closed Reason field to turn off the indicator.
- Partial Payment Receipt and Inventory of Seized Property. Document Results are required, as above.

View Seizure Details Screen

The View Seizure Details screen is an action link at the bottom of the Case Details screen which will display a summary of seizure activity for the case.

If a user attempts to enter a garnishment or seizure after a Certificate of Satisfied Judgment has been filed, the system will present a validation message indicating "'Request and Writ for Garnishment (Periodic Payments) cannot be filed for ... because ... has a satisfaction of judgment'.

If a user deletes a document that closes a garnishment or seizure, the garnishment or seizure will not be reinstated.